

Declaration of Alice Wu in Support of Plaintiff Google Inc.'s Motion for Temporary Restraining Order and Preliminary Injunction

Exhibit 3

3. Google uses sophisticated algorithms that review the metadata associated with YouTube videos and classifies the videos as falling into one of more than 1,500 subject matter categories (e.g., sports, comedy). Google uses these classifications for various purposes, including to determine whether advertising should run against the video.

4. In light of the Attorney General's repeated complaints and threats of prosecution, Google blocked advertisements on YouTube videos classified under the category "health and pharmacy." Google did so because it was one practical way to minimize the chance that advertising would run against videos promoting rogue pharmacies, which the Attorney General had asserted could subject Google to criminal liability. As a result, Google is no longer running any advertisements alongside YouTube videos that receive the "health and pharmacy" classification.

5. For example, Google is currently blocking advertisements from running alongside the YouTube video entitled "Nutrition Tips for Healthy Living : Foods That Give You Heartburn." A true and correct screen shot of the video, as it appeared as of January 16, 2015 at <https://www.youtube.com/watch?v=yxa6g0oArbI>, is attached hereto as Exhibit 1.

6. Google is also currently blocking advertisements from running alongside the YouTube video entitled "Healthy Break – Complete Sleep." A true and correct screen shot of the video, as it appeared as of January 16, 2015 at <https://www.youtube.com/watch?v=TbsOAm6Vcpk>, is attached hereto as Exhibit 2.

7. Google is also currently blocking advertisements from running alongside the YouTube video entitled "Cooking Dinner with Healthy ingredients we bought at Duane Read \$16 for a meal of four!" A true and correct screen shot of the video, as it appeared as of January

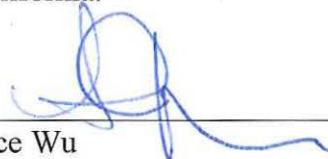
16, 2015 at <https://www.youtube.com/watch?v=EMOg1PSagtw>, is attached hereto as Exhibit 3.

8. Google is also currently blocking advertisements from running alongside the YouTube video entitled "Portsmouth's Healthy Living Pharmacy Journey." A true and correct screen shot of the video, as it appeared as of January 16, 2015 at <https://www.youtube.com/watch?v=w5xyOJg9Ak0>, is attached hereto as Exhibit 4.

9. The Attorney General's threats to bring legal action against Google if it did not restrict certain content were an important factor in the decision to algorithmically prevent advertising from running alongside the aforementioned videos (and many others), which YouTube makes available to the public free-of-charge.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 21, 2015, in San Bruno, California.



Alice Wu

Nutrition Tips for Healthy Living : Foods That Give You Heartburn

yxa6g0oArbl ×



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BLOCK ADS ✓ **ALLOW ADS**

Health/Health Conditions/GERD & Digestive Disorders [638]

Health/Pharmacy/Drugs & Medications [646]

Health [45]

Health/Alternative & Natural Medicine [499]

503 views. Uploaded 2008-11-07 by eHow. +
Monetization override by Batch.

Override Verticals

Thumbnail: **G** **TEEN** **MATURE** **X**

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Ex. 1

Healthy Break - Complete Sleep



Thumbnail: G TEEN MATURE X

TbsOAm6Vcpk ×

Y	G	PG	T	MA	X
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BLOCK ADS ✓ **ALLOW ADS**

Home & Garden [11]

Health/Nutrition/Vitamins & Supplements [237]

Health/Pharmacy [248]

Science/Chemistry [505]

50 views. Uploaded 2012-08-07 by Silver Spoon Productions. +
Monetization override by Batch.

Override Verticals

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Ex. 2

Cooking Dinner with Healthy ingredients we bought at Duane
Reade \$16 for a meal for four!

EMOg1PSagtw ✕



Thumbnail: G TEEN MATURE X

Y	G	PG	T	MA	X
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BLOCK ADS ✓ **ALLOW ADS**

Food & Drink [71]

Home & Garden [11]

Food & Drink/Cooking & Recipes [122]

Arts & Entertainment [3]

Health/Pharmacy [248]

34 views. Uploaded 2012-01-03 by [Melissa Chapman](#). +
Monetization override by Batch.

Override Verticals

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Ex. 3

Portsmouth's Healthy Living Pharmacy Journey

w5xyOJg9Ak0 ✕



Thumbnail: G TEEN MATURE X

Y	G	PG	T	MA	X
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BLOCK ADS ✓ **ALLOW ADS**

Jobs & Education/Education/Colleges & Universities [372]
Health/Pharmacy [248]

122 views. Uploaded 2014-02-04 by Pharmacy Voice. +
Monetization override by Batch.

Override Verticals

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Ex. 4